

Amendments to the Drawings

Attached herewith are three (3) replacement sheets of drawings that include labels within the diagram boxes for Figs. 1-3.

Attachments:

Three (3) Replacement Sheets of Drawings

REMARKS

Twenty claims were originally filed, all of which were rejected as anticipated by U.S. Patent App. Pub. No. 2001/0030950 to Chen et al. ("Chen") or as obvious thereover in light of PCT Patent App. Pub. No. WO00/02361 to Ayoub et al. By the present amendment, claims 5, 14, and 17 are canceled, claims 1, 4, 10, and 18-20 are amended, and new claims 21-23 are added. The drawings are also amended in response to corresponding objections. Support for the drawing amendments is found in paragraphs [0011]-[0013] of the originally-filed specification.

It is respectfully submitted that presently-pending independent claims 1 and 19 now define subject matter that is novel and non-obvious over the prior art of record. Each claim now requires a communication, command, and control unit for use with a plurality of external devices, in or for use in a communication, command, and control system that is modular and adaptive and, comprising:

- a plug-and-play module;
- an interface module including a command and control input means;
- an input/output module including a transceiver;
- a master application/interface controller module connected to the interface module, input/output module, and plug-and-play module, wherein the master application/interface controller module provides for data processing; and

- means for generating reprogrammable communication protocols compatible with a plurality of external devices, wherein each communication protocol includes a command code set that defines the signals employed to communicate with each one of said external devices.

Support for the amendments is found in the originally-filed specification, *inter alia*, as follows:

- for use with a plurality of external devices: Fig. 4 and corresponding description.
- modular and adaptive: original claim 1.
- plug-and-play module: Fig. 3 and corresponding description.
- master application/interface controller module provides for data processing: paragraphs [0013] - [0014].
- means for generating reprogrammable communication protocols: Fig. 4 and paragraphs [0014] - [0017].

It is respectfully submitted that Chen does not disclose the "means for generating reprogrammable communication protocols" described in the specification of the present application or an equivalent. For example, Chen does not disclose or suggest an application programming interface layer comprising a generic API and module-specific APIs such as described in Fig. 4 and the corresponding description, or an equivalent thereof. Chen is instead directed to the quite different context of a gateway, which is a node interconnecting other devices, not a modular device that commands and controls a

variety of arbitrary external electronic devices (such as televisions, VCRs, cable boxes, etc.). (See definition of "gateway" from the Telecom Glossary, attached in the Appendix). It is thus submitted that an interpretation of the "means for generating reprogrammable communication protocols" limitation reading on the structure disclosed in Chen would not be proper under 35 U.S.C. 112 ¶6, but in any event Applicant hereby expressly disclaims such an interpretation on the record.

Sentry Protection Prods. v. Eagle Mfg., 400 F.3d 910 (Fed. Cir. 2005) ("The prosecution history modifies the scope of a claim term if the applicant 'expressly disclaim[s] subject matter.'") (quoting CCS Fitness, Inc. v. Brunswick Corp., 288 F.3d 1359 (Fed. Cir. 2002)).

Applicant requests a three-month extension of time for this reply, for which Form PTO-2038 is attached. The Examiner is invited to contact the undersigned by telephone if desired.

Respectfully submitted,

Dated: November 21, 2006

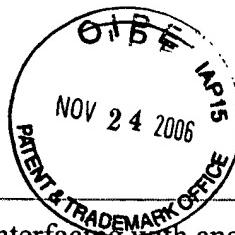
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Appendix:

- Three (3) Replacement Drawing Sheets
- Definition of "gateway" from Federal Standard 1037C *Telecom Glossary* (at <http://www.its.bldrdoc.gov/fs-1037/>)

gateway



gateway: 1. In a communications network, a network node equipped for interfacing with another network that uses different protocols. (188) *Note 1:* A gateway may contain devices such as protocol translators, impedance matching devices, rate converters, fault isolators, or signal translators as necessary to provide system interoperability. It also requires that mutually acceptable administrative procedures be established between the two networks. *Note 2:* A protocol translation/mapping gateway interconnects networks with different network protocol technologies by performing the required protocol conversions. 2. *Loosely*, a computer configured to perform the tasks of a gateway.

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